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01/13/2005 02:16 PM

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Subject Working Group Meeting

In preparation of the Working Group Meeting scheduled for 9:00 AM on Jan 27 at the Swansea Rec Center, I have attached the criteria prepared for conducting exterior lead based paint abatement under the Superfund Program. A discussion of this memo will be included during the next Working Group Meeting. Please contact me if you have any questions regarding this memo or are unable to open the document.

To assist in the facilitation of the Work Group Meetings, a contract has been awarded to George Weber. He may be contacting you over the next couple of weeks to assist in preparing the agenda for this next meeting.

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LeadAbatementMemo.doc



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January 13, 2005

MEMORANDUM

SUBJECT: Exterior Lead Based Paint Abatement, VB/I70 Superfund Site

FROM: Victor Ketellapper
VB/I70 Site Project Manager

TO: VB/I70 Working Group

This memorandum is to provide a summary of EPA's and CDPHE's proposal on how exterior lead based paint will be addressed to protect the residential soil remedy at the VB/I70 Superfund Site.

Under the Superfund Law, EPA does not have the authority to address the potential human health risk resulting from lead in paint. However, EPA's 2003 guidance document "Superfund Lead-Contaminated Residential Sites Handbook" (OSWER 9285.7-50) establishes that Superfund resources may be used to respond to exterior lead based paint to prevent recontamination of soils that have been remediated for lead if other funding sources are not available.

I have discussed how exterior lead based paint abatement could be justified by the Superfund Program under EPA's Lead-Contaminated Residential Sites Handbook within EPA and CDPHE. Through these discussions, it was determined that the decision to conduct an exterior lead based paint abatement to protect the remedy must be based on how properties are initially evaluated for a soil cleanup. That is, exterior lead based paint abatement would be conducted if peeling exterior lead based paint would cause the yard-wide average concentration for lead to exceed the cleanup decision value of 400 mg/kg. Based on this standard, I have prepared the following criteria for which EPA will conduct exterior lead abatement to protect the residential soil remedy.

Exterior Lead Based Paint Abatement Criteria.

1. Exterior lead based paint will be evaluated at all homes where a soil removal was conducted due to exceeding the cleanup standard for lead, since EPA guidance allowing this work applies to lead contaminated soils at residential properties.

Properties which a soil removal was conducted in response to exceeding the arsenic decision value would not be considered for exterior lead based paint abatement.

2. Qualifying homes will be evaluated to determine if exterior lead based paint exists on the home.
3. If exterior lead based paint exists, an evaluation based on the following criteria will be conducted to determine if the lead based paint poses a risk to the soil remedy.
 - a. Is the paint peeling or flaking?
 - b. Is peeling or flaking paint likely to fall or migrate to soil?
 - c. Will the peeling or flaking paint result in the soil exceeding the lead decision value determined in the ROD? This would be determined by the sum of the lead concentration in the fill material plus the calculated increase in the average lead soil concentration derived from peeling exterior lead based paint, based on the
 - 1) Area of soil in the yard,
 - 2) The concentration of lead measured in paint, the area of peeling lead based paint,
 - 3) The depth of soil (2 inches).Each eligible property would be evaluated individually. Examples of the area of peeling exterior lead base paint that would result in an abatement by the Superfund Program are: when the area of peeling paint exceeds 238 ft² for small properties (800 ft²); 622 ft² for medium properties (2600 ft²); and 889 ft² for large properties (4000 ft²).
4. For homes which pose a risk to the soil remedy, the areas of flaking or peeling paint will be spot encapsulated and repainted using matching paint.
5. Homeowners will be responsible for maintaining exterior lead based paint after evaluation and necessary abatement.